

Amendment No. 1 to HB1896

Ramsey
Signature of Sponsor

AMEND Senate Bill No. 2033

House Bill No. 1896*

by deleting Sections 2 and 3 of the bill as introduced and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following as a new section:

63-1-152.

(a) As used in this section:

(1) "Cosmetic medical service" means any service that uses a biologic or synthetic material, a chemical application, a mechanical device, or a displaced energy form of any kind that alters or damages, or is capable of altering or damaging, living tissue to improve the patient's appearance or achieve an enhanced aesthetic result;

(2) "Media" or "advertising" means oral, written and other types of communication disseminated for the purpose of soliciting medical services. These communications include, but are not limited to, newspaper or magazine advertisement, telephone directory displays, printed brochures or leaflets, websites, email correspondence, and television and radio announcements;

(3) "Medical director" or "supervising physician" means a physician who:

(A) Holds an active medical license under chapter 6 or 9 of this title in this state;

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(B) Has an active medical practice in this state; and

(C) Is responsible for the provision of or supervises
the provision of cosmetic medical services; and

(4) "Medical spa" means any entity, however named or
organized, which offers or performs cosmetic medical services;
provided, that a medical spa shall not include a practice owned by
a physician.

(b) Any entity doing business as or advertised as a medical spa
shall display the name of the medical director or supervising physician
and shall indicate one of the following by signage at its practice site and
in its media and advertising:

(1) Whether the medical director or supervising physician
is certified or eligible for certification by a private or public board,
parent association, multidisciplinary board or association that is an
American Board of Medical Specialties (ABMS) board member or
an American Osteopathic Association (AOA) board member;

(2) Whether the medical director or supervising physician
is certified by a board or association with equivalent requirements
to the ABMS as approved and recognized by the board of medical
examiners or the board of osteopathic examination, as
appropriate; or

(3) Whether the medical director or supervising physician is certified by a board or association with an American Osteopathic Association (AOA) or an Accreditation Council for Graduate Medical Education (ACGME) approved and accredited postgraduate training program that provides full certification in that specialty or subspecialty and is recognized by the board of medical examiners or the board of osteopathic examination, as appropriate.

(c) If the medical director or supervising physician is not certified by any of the entities identified in subsection (b), then the lack of certification shall be displayed by signage at its practice site and in its media and advertising.

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.